

**OFFICIAL MINUTES OF THE
WEBB COUNTY COMMISSIONERS COURT
MEETING OF JUNE 10, 2002
LAREDO, TEXAS**

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 9:00 a.m. at the regular meeting place with the following members present to wit:

**Jerry Vasquez
Judith Gutierrez
Felix Velasquez
Miguel Urdiales**

**Commissioner Prct. #1
Commissioner Prct. #2
Commissioner Prct. #3
Commissioner Prct. #4**

Thus constituting a quorum, the Commissioners Court proceeded to act upon the agenda as posted in the notice of the 6th of June 2002. Present also were Mr. Henry Flores, Ex-Officio Clerk of the Commissioners Court, various officers and others interested in the business of the court.

**As Senior Commissioner, Ms. Gutierrez served as presiding officer.

02-06-193

1 Call to order – Commissioner Judith Gutierrez

Invocation – Commissioner Jerry Vasquez

Pledge of Allegiance – said by all

02-06-194

2. Approval of Minutes –

A motion was made by Commissioner Velasquez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to accept the minutes as submitted with the following correction:

Page 4. – 6. – e. (1.) Should state that Commissioner Vasquez seconded the motion.

02-06-195

3. Communications –

1. Presentation by the Texas State Guard, 6th Battalion 1st Brigade.
2. Ms. Puente, Risk Manager, “Safety and Health Month for Webb County.
3. Small Business Committee “Distinguished Business Awards” –

Mr. Miguel Conchas, Laredo Chamber of Commerce presented several awards:

Laredo Business Person of the Year – Mr. Fernando Zuniga, Jr., Mr. Fernando Zuniga, III and Mr. Federico “Kiko” Zuniga.

Mr. Dennis Hinojosa and Mr. Victor Garcia, not present but recognized.

Mr. Raul Garza, CPA, Accountant Advocate of the year. Commissioner Vasquez presented Mr. Ramon Solis and Mr. Rogelio Solis of Brothers Paving, Inc. with an award also.

Commissioner Urdiales presented Ms. Deidra Reyna, Laredo Morning Times with Journalist of the Year Award – Business Editor.

Commissioner Vasquez and Constable Ruben Reyes, presented the South Laredo Scholarship Fund recipients for United South and Cigarroa High School.

Letter from residents from Los Botines Community to ask for assistance for dedicating some roads in that area.

02-06-196

4. Monthly Reports, Bills, Payroll –

A motion was made by Commissioner Velasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to accept all monthly reports as submitted.

Mr. Leo Flores, Webb County Auditor presented his monthly report at this time.

02-06-196

6. Webb County Action Agency –

A motion was made by Commissioner Velasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to modify slots:

2012 (Weatherization Program full-time) from Assessor \$ 9.00 an hour to Assessor/Inspector \$ 9.50 an hour.

1903 (Social Services Center Aide part-time) from \$ 6.50 an hour to \$ 7.00 an hour.

1160 (Social Services Center Aide part-time) from \$ 6.50 an hour to \$ 7.00 an hour.

1793 (Social Services Clerk part-time) from \$ 6.50 an hour to (Center Aide part-time) \$ 7.00 an hour.

6. – b Head Start –

A motion was made by Commissioner Velasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to fill slot # 1942 (AA/Family Service Worker Assistant) and;

Approve Fatherhood One-Time Special Initiative fund Application for FY 9/20/2002-8/31/2003 in the amount of \$ 50,000 (Federal) and \$ 12,500 (In-kind Non-Federal), for a grand total of \$ 62,500 (This initiative is intended to enhance the role of fathers/father figure in the lives of their children and families).

6. – c. Constable Raul Hinojosa –

A motion was made by Commissioner Velasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve a line –item transfer as follows:

From: Acct. # 001-2500-6014 (equip.rental) \$ 1,154.00
To: Acct. # 001-2500-5006 (education) \$ 1,154.00

6. – d. Constable Ruben Reyes –

A motion was made by Commissioner Velasquez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to approve a line-item transfer as follows:

From: acct. 001-2503-6011 (training/ed.) \$ 400.00
5011 (sick leave buy back) \$ 843.00
6005 (postage) \$ 315.00

Total \$ 1,558.00

To: acct. 001-2503-6202 (uniforms) \$ 400.00
5502 (incentive pay) \$ 488.00
5504 (longevity pay) \$ 670.00
Total \$ 1,558.00

6. – e. Webb County Sheriff –

A motion was made by Commissioner Velasquez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to approve the following line-item transfer:

From: acct. 001-2001-5001 (payroll cost) \$ 76,472

To: acct. 001-2001-5003 (overtime) \$ 18,472
6402 (vehicle maint.) \$ 20,000
6001 (office supplies) \$ 5,000
6005 (postage) \$ 3,000
6011 (training/ed.) \$ 5,000
6402 (equip.maint.) \$ 10,000
6014 (equip.rental) \$ 5,000

To: acct. 001-2062-6209 (medicines) \$ 10,000
\$ 76,472 Total

From: acct. 001-2060-5001 (payroll cost) \$ 73,877

To: acct. 001-2060-5003 (overtime) \$ 30,000
6001 (office supplies) \$ 5,000
6011 (training/ed.) \$ 5,000
6014 (equip.rental) \$ 5,000
6401 (bldg. maint.) \$ 10,000
6402 (equip.maint.) \$ 15,000

6405 (materials/supplies) \$ 3,877

Total \$ 73,877

From: acct. 001-2061-5001 (payroll cost) \$ 44,529

To: acct. 001-2062-6502 (janitorial supplies) \$ 4,529

6208 (groceries) \$ 40,000

Total \$ 44,529

6. – e.

2. Deferred Item –

Sheriff Juan Garza and Mr. Jose Salinas, Chief Administrator addressed this item.

A motion was made by Commissioner Urdiales seconded by Commissioner Vasquez to defer this item:

Discussion and possible action for compliance with the Texas Commission on Jail Standards Directive, reference to shift relief factor and staff requirements.

Voting in favor were Commissioner Urdiales and Commissioner Vasquez with Commissioner Gutierrez and Commissioner Velasquez voting against this motion, the vote being 2 to 2, motion died.

A motion to table the motion was made by Commissioner Velasquez and seconded by Commissioner Gutierrez with Commissioner Velasquez and Commissioner Gutierrez voting in favor and Commissioner Vasquez and Commissioner Urdiales voting against this motion, the vote being 2 to 2, motion died.

6. – f. Tax Assessor-Collector –

A motion was made by Commissioner Urdiales and seconded by Commissioner Vasquez with all voting “Aye”, in favor to approve the following refunds:

Webb County Tax Office

Reason: Combined with 973-60029-010

Total refund: \$ 527.27

Laredo Ready Mix

Reason: Clerical error 25.25 & out of City Limits

Total refund: \$ 2,527.59

Laredo Sand & Gravel

Reason: Clerical error 25.25 out of City Limits

Total refund: \$ 4,199.31

JARMO Ltd.

Reason: Double Assessed with Sonterra Unit 2

Total refund: \$ 1,484.91

6. – g. Webb County Treasury –

A motion was made by Commissioner Urdiales and seconded by Commissioner Vasquez with all voting “Aye”, in favor to approve to:

- Increase the employer contribution rate for retirement from 5% to 6%
- Increase the county match amount from \$ 2.20 to \$ 2.25.
- Adopt the 20 year retirement option impact on General Fund will be approximately \$ 381,600 on a yearly basis. Effective date for these changes will be January 1, 2003.

6. – h. Planning Department -

A motion was made by Commissioner Urdiales and seconded by Commissioner Velasquez with all voting “Aye”, in favor to approve proposed road/street name(s) under the County’s 911 Rural Addressing efforts for the following area(s):

Location:

Aguiar and Palacios Subdivision (unlatched subdivision adjacent to Botines)

Road Name(s)

Garland

2. A motion was made by Commissioner Velasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to issue “Certification regarding compliance with plat requirements and the connection of utilities” to authorize utility connections to the following properties:

Connections qualifying under Section 232.029(i)

Tract II, Ranchitos Los Fresnos Subdivision (electricity – one dwelling)

Lot 21, Block 7, Pueblo Nuevo Subdivision (electricity – one dwelling)

Lot 3, Block 6, San Carlos Phase I Subdivision (a.k.a. San Enrique Subdivision)
(electricity – one dwelling)

Lot 2, Block 7, San Carlos Phase I Subdivision (a.k.a San Enrique Subdivision)
(electricity – one dwelling)

Tract 41, Unit VIII, Ranchitos Penitas West Subdivision (electricity – one
Dwelling for a total of 3 dwellings).

Connections qualifying under Section 232.028 (a) and (b)

Lot, 5 Block 18, Oilton Subdivision (water/electricity/sewer – one dwelling)

6. – i. Engineering Department –

A motion was made by Commissioner Velasquez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to authorize the Road & Bridge Department Fund No. 001-0108 to fill slot #1370 (Tire Repairman) at \$ 8.09 an hour (the salary approved in the 2001-2002 budget).

6. – j. Facilities Department –

A motion was made by Commissioner Velasquez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to approve to fill (General repairperson) slot 035, 036 at \$ 7.79 per hour and to fill (custodian) slot 027 at \$ 6.50 per hour effective 6-10-02.

6. – k. Webb County Elections –

A motion was made by Commissioner Velasquez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to establish and approve the main and temporary branch early voting polling sites for the November 5, 2002, General Election within Webb County, Texas pursuant to Chapter 85, Texas Election Code.

6. – l. Deferred Item –

A motion was made by Commissioner Velasquez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to defer this item:

Action to pass an Order, pursuant to Texas Local government Code Section 115.032 (i), regarding the employment of disinterested, competent and expert Public Accountant to audit the construction and sale of the Webb County Detention Center. This audit would serve the best interest of the public.

2. A motion was made by Commissioner Vasquez and seconded by Commissioner Velasquez with all voting “aye”, in favor to hold a Special Meeting on June 17, 2002 at 2:00 p.m. in reference to Webb County Bond Series 2002.

6. – m. Welfare Department –

A motion was made by Commissioner Velasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve the following line item transfer:

From: acct. 001-4101-6402 (repairs/maint. equip.)	\$ 1,300.00
5601 (adm. travel)	\$ 1,200.00
6010 (blks./subs.)	\$ 200.00
	\$ 2,700.00 Total

To: acct. 001-4101-7006 (indigent rent)	\$ 1,100.00
6022 (prof. serv.)	\$ 1,300.00
6205 (mat./supplies)	\$ 300.00
	\$ 2,700.00 Total

6. – n. Constable Annette Munoz –

A motion was made by Commissioner Velasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to accept a 1998 Chevrolet Blazer from the Webb County District Attorney’s office to the Quad City Constable Department Pct. 3.

02-06-199

7. – a. Economic Development –

A motion was made by Commissioner Urdiales and seconded by Commissioner Velasquez with all voting “Aye”, in favor to approve the following line-item transfer:

From: 001-6100-6010 (books/subs.)	\$ 600.00
To: 001-6100-6401 (repair & maint.)	\$ 600.00

7. – b. Solicit Construction Bids / Expansion Larga Vista Community Center –

A motion was made by Commissioner Urdiales and seconded by Commissioner Velasquez with all voting “Aye”, in favor to solicit construction bids for the expansion of the Larga Vista Community Center.

7. – c. Change Order #2 / Noah’s Construction –

A motion was made by Commissioner Urdiales and seconded by Commissioner Vasquez with all voting “Aye”, in favor to authorize the submission of Change Order #2 Noah’s Construction to the U.S. Department of Housing and Urban Development (HUD) for the Housing Colonia Initiatives (HCI) Program for CAA-SHC 2001-34 (Gloria room – El Cenizo) and CAA-SHC 2001-35 (Maria Sanchez – El Cenizo) for an additional \$ 600.00 to include alternative items not covered by Weatherization Program.

** subject to funding source identification.

02-06-201

9. – a. Tax Assessor-Collector / Lease purchase –

A motion was made by Commissioner Vasquez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to authorize the Lease Purchase on (1) 5 Series Mail Folder/Inserter (folding module and sheet feeder) for 60 months at \$ 7,320 yearly for the Webb County Tax Collector’s Office.

9. – b. Purchase Creosoted Timber -

A motion was made by Commissioner Vasquez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to authorize the purchase of creosoted timber from McCoy through annual contract for timber # “2002-06”, in the amount of \$ 7,733 for the Road & Bridge Department (Fund 010-7002-6404).

9. – c. Obtain Professional Services / Howland Engineering Co. –

A motion was made by Commissioner Vasquez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to obtain Professional Services of Howland Engineering Co. in the amount of \$ 6,500 to survey and stake out the following streets in Oilton, (fund 010-7002-6404):

Foster – from Highway 359 to Laurel St

Laurel – from Foster to De Spain St.
De Spain – from Makin to Laurel St.

9. – d. Award Bids –

A motion was made by Commissioner Vasquez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to award the following bids:

Bid 2002-58 “IBM Mainframe Series 400”
Recommendation: Sirius Computer Solutions
Amount \$ 283,810.00 (Bond series 2001)

9. – e., f. g. Purchasing Department / Various Items –

A motion was made by Commissioner Vasquez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to approve the following items:

Authorize approved labor cost to install 38 a/c window heat pumps for the Lulac Haven Complex for the Community Action Agency Weatherization Program in the amount of \$ 7,600 from Everado Tapia, General Contractor (fund 916-4228-6023) and;

Solicit bids for one (1) Type II medium duty us for the Webb County Rural Transportation Department and;

Solicit bids to purchase the following equipment for the Road & Bridge Department for a total amount of \$ 835,600 (Deferred item – Funding will be provided from the following projects; San Carlos I & II Ramirez Tract Project, Road & Bridge ending balance and Border Colonias Paving Project)

Three Dump Trucks @ \$ 54,000 each
One Multipurpose sweeper @ \$ 19,000
One Self Propelled Compactor @ \$ 36,000
Two Motor Graders @ \$ 130,000
One excavator (large) @ \$ 120,000
One low bed @ \$ 20,000
One truck for law bed @ \$ 95,000
Two backhoe's @ \$ 55,000
Eight Mobile Radios @ \$ 1,700 each

02-06-202

10. – a. Deferred Item –

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to defer this item:

Action to select by majority vote, tow (2) members of the Webb County Commissioners Court to serve on the Webb County Purchasing Board. Any matters incident thereto. (Purchasing Board in counties over 150,000 are composed of 3 District Judges and 2 members of the Commissioners Court, where there are 3 more District Judges. Local Government Code § 262.011 (a)

10. – b. & c. Planning Department –

A motion was made by Commissioner Vasquez and Commissioner Velasquez with all voting “Aye”, in favor to accept, by Order, Right-of-Way dedications from property owners in Ranchos Penitas West Subdivision and San Carlos (San Carlos Enrique) Subdivision, Phase I out of the following tracts:

Ranchos Penitas west Subdivision

<u>Tract</u>	<u>Unit</u>	<u>Grantee(s)</u>
Tract 44	Unit IV	Manuel Martinez, Jr. and Jose Jesus Morales
Tract 86	Unit VI	Sylvia R. Garcia
Tract 92	Unit VI	Alicia Rodriguez
Tract 99	Unit VI	Maria Isabel Valdez f/k/a/ Isabel Benavidez
Tract 12	Unit VII	Alfonso Mendiola and Gloria Mendiola
Tract 24	Unit VII	Ferrel Arriaga
Tract 56	Unit IX	Gregorio Martinez and Elena Martinez
Tract 58	Unit IX	Lucio Garcia, Jr. and Maria del Socorro Garcia
Tract 60 and & 62	Unit IX	Alejandro Garcia and Irma Garcia

San Carlos (San Enrique) Subdivision, Phase I

<u>Tract</u>	<u>Grantee(s)</u>
Lots 2 & 3,	Hilaro Alfaro (Drainage Easement)

Block 7

Lot 1, Block 7

Hilaro Alfaro and;

Enter into a term Rental Agreement with Pitney Bowes for a DM200 Digital Mailing System and an Integra 2 Electronic Scale for the Community Action Agency at a monthly cost of \$ 103.00 for 51 months and authorizing the County Judge to execute all relevant documents.

10. – d. & e. – Appointment / Contract Amendment –

A motion was made by Commissioner Vasquez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to appoint Ms. Graciela Lopez and Graciela Torres to the Laredo-Webb County Child Welfare Board to fill vacancies in accordance with their nomination by the Board at its meeting of May 21, 2002 and;

Enter into Contract Amendment Number 4 with the Texas Department of Housing and Community Affairs for Contract Number 718003 (Webb County Self-Help Centers) by extending the termination date of the contract to July 9, 2002 and authorizing the County Judge to execute all relevant documents.

10. – f. & g. Accept Grant Award / Order –

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to accept a Grant Award in the amount of \$ 38,087 from the Office of the Governor, Criminal Justice Division, for the salary and fringe benefits of one juvenile prosecutor and the purchase of material and supplies needed to make some necessary repairs at the Juvenile Detention Center, including replacing/repairing surveillance cameras and or related equipment in the amount of \$ 14,082 with cash match by the County Judge to execute all relevant documents and; ***Pending funding source identification.

Pass an Order of the Commissioners Court regarding the prohibition of outdoor burning within the Unincorporated areas of Webb County and establishing a violation of the Order as a Class “C” Misdemeanor punishable by a Fine of up to \$ 500.00.

6. – k. Intergovernmental Agreement –

A motion was made by Commissioner Velasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve Intergovernmental Agreement with The City Of Laredo to provide health services within Webb County (exclusive of municipalities) for one year beginning October 1, 2001 and ending September 30,2002 for a total fee of \$ 133,600 any matters incident thereto.

6. – l. Construction Contract –

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to enter into a Construction Contract with Closner Construction L.C. as awarded by Commissioners Court on May 16, 2002, in the amount of \$ 315,687 as modified after the contract was awarded due to increases in materials from the original bid amount of \$ 291,063.50 for Corralitos Water Improvements Project and authorizing the County Judge to execute all relevant documents (said modification is on the best interest of the county and does not change the scope of the contractor cause the contract amount to exceed the next lowest bid pursuant to § 262.0305 Texas Local Government Code).

10. – m. Appointment / Webb County Employee Grievance Committee –

A motion was made by Commissioner Urdiales and seconded by Commissioner Velasquez with all voting “Aye”, in favor to appoint Mr. Jose Garcia, Facilities Department to the Webb County Employees Grievance Committee pursuant to Section 14.04 of the Webb County Policies Manual to succeed deceased member.

11:55 p.m.

A motion was made by Commissioner Velasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to go into Executive Session for the following items:

8. – a. } Action regarding property damage claim of CAA-Aguila Rural Transportation for damage to a county vehicle driven by Rodrigo Escalera that was involved in a motor vehicle accident on or about May 1, 2002 and;

10. – h. } Action regarding Civil action No. L.-01-132; Rosa Saldivar individually and on behalf of Estate of Juan Saldivar, deceased Juan Saldivar, Jr.; and Rosa Lydia Saldivar vs. Webb County,

Texas; Webb County Sheriff Juan Garza; in the United States District of Texas, Laredo Division and;

10. – i.) Action regarding Cause NO. 99-CVQ-000901; Hermelinda Salinas, individually and as representative of the estate of Luis R. Salinas; and San Juana Lara next friend of Luis R. Salinas, Miguel A. Salinas and Selena Y. Salinas vs. County of Webb; in the 49th Judicial District Court of Webb County, Texas and;

10. – j. } Status report concerning Webb County's claim for administrative fees due under Operations Contract with Corrections Corporation of America.

*****EXECUTIVE SESSION*****

12:20 p.m.

The court returned to regular session and Commissioner Gutierrez stated that no action had been taken in Executive Session.

8. – a. No action needed – report given to court.

8. – h. No action needed – report given to court.

8. – i. A motion was made by Commissioner Urdiales and seconded by Commissioner Vasquez with all voting "Aye", in favor to authorize the County Attorney to attempt negotiation settlement as discussed in Executive Session and report back to the court at a later meeting.

8. – j. Status report – no action.

7. – d.

A motion was made by Commissioner Velasquez and seconded by Commissioner Vasquez with all voting "Aye", in favor to approve to create and fill the following Housing Rehabilitation Worker slots under Fund 504 (Self Help Center Grant – no impact on General Fund):

12 Labors (fulltime/temp.) at \$ 7.00 hour

4 Crew Leaders (fulltime/temp.) at \$ 8.00 an hour.

A motion was made by Commissioner Velasquez and seconded by Commissioner

Vasquez with all voting “Aye”, in favor to adjourn the meeting.